



STATE OF WASHINGTON
DEPARTMENT OF LABOR AND INDUSTRIES
Division of Occupational Safety and Health
PO Box 44600 • Olympia, Washington 98504-4600

September 30, 2019

CITY OF PULLMAN
325 Se Paradise St
Pullman, WA 99163

OSHA #: 1401061
Inspection: 317954480
UBI: 385000065
Region: 6-Safety
Inspector ID: T5003
Reference: 209479261

Dear Employer:

Enclosed are the results of the safety and health inspection of your workplace. This packet contains:

- **Citation Invoice** – The total assessed penalty is \$2,700.00
- **Citation and Notice of Assessment** – Washington Administrative Code (WAC) Violations.
- **Employer Appeal Rights** – You have 15 working days to appeal this citation.

You must immediately post this Citation and Notice of Assessment at or near where the violation(s) occurred, where employees can easily find and read it, or where employees normally receive posted information. All postings must remain until you have corrected all violations, or for three working days, whichever is longer. “Working day” means a calendar day, except Saturdays, Sundays and all legal state holidays.

Because this inspection is public information, the result will be posted online 30 days after the above date by the Department of Labor & Industries. You may view it at www.secure.lni.wa.gov/verify.

Please visit www.lni.wa.gov/PublicRecords if you would like to request a copy of the inspection file. Your choices are:

- Safety & Health Citation Only
- Safety & Health Brief Inspector Summary Report (short description the inspector writes to summarize the reason for the inspection only – not complete file)
- Safety & Health Detailed Inspection Summary Report (detailed summary of inspection including penalty calculation only – not complete file)
- Safety & Health Citation and Complete Inspection File (The complete legal file which contains the detailed information regarding the inspector’s findings, the citation, and calculation of any penalty. This will be especially helpful if you are contemplating filing an appeal.)

If you have questions, call the compliance supervisor, Dan Pitts, at (509) 324-2610.

Respectfully,

Anne F. Soiza

Anne F. Soiza
L&I Assistant Director
Division of Occupational Safety & Health

Enclosure(s)



Washington State Department of
Labor & Industries
Division of Occupational Safety and Health

Invoice

Inspection: 317954480

UBI: 385000065
Legal Name: CITY OF PULLMAN
DBA Name: CITY OF PULLMAN
Inspection: Fire Services,
Site: 745 North Grand Ave, Pullman, WA, 99163

Issued: September 30, 2019
Opening Conference: May 8, 2019
Closing Conference: June 18, 2019
Inspector ID: T5003

Summary of Assessed Penalties Due

The Citation and Notice of Assessment includes a full description of each violation.

Violation Item	Violation Type	WAC	Correction Due Date	Penalty Amount
1-1	Serious	WAC 296-305-05111(1)(b)	Not Applicable	\$900.00
1-2	Serious	WAC 296-305-05113(5)(a)	Not Applicable	\$900.00
1-3	Serious	WAC 296-305-01513(1)	Not Applicable	\$900.00
<u>Total Penalty Due</u>				\$2,700.00

PAYMENT INFORMATION

Payment is due 15 working days from receipt of this citation.

Make check payable to the Department of Labor and Industries.

Write Inspection number 317954480 on the check and mail to:

Attn: DOSH Cashier
Department of Labor and Industries
PO Box 44835
Olympia, WA 98504-4835
Or deliver to: **Any L&I office**



Post This Document

Citation and Notice of Assessment Inspection: 317954480

UBI: 385000065

Issued: September 30, 2019

Legal Name: CITY OF PULLMAN

Opening Conference: May 8, 2019

DBA Name: CITY OF PULLMAN

Closing Conference: June 18, 2019

Inspection Fire Services, 745 North Grand Ave Pullman, WA

Inspector ID: T5003

Site: 99163

Violation 1 Item 1

Violation Type: Serious

WAC 296-305-05111(1)(b)

The employer did not ensure Employees assigned specific duties and functions must be trained and qualified by their department prior to being assigned those duties or functions.

Upon inspection, a Pullman City Road Department employee was allowed by Pullman Fire Department management/incident commander, to operate a front end loader with three employee(s) of the Pullman Fire Department riding in the bucket at approximately four locations. Fire Department management assigned the employee(s) to swift water rescue duties without being department trained and qualified. The City of Pullman equipment operator had no training in swift water rescue. Additionally, the Pullman Fire Department, Standard Operating Procedures (Temporary Notice #2019-01, dated April 12, 2019) does not allow row or go situation.

In the event of an accident, employee(s) are exposed to injuries resulting in long term major disability and or death.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty: \$900.00

Violation 1 Item 2

Violation Type: Serious

WAC 296-305-05113(5)(a)

The employer did not ensure that as a fire department choosing to operate at the operations or technician level for water rescue incidents, that they met the requirements of this section and the non-conflicting portions of chapter 9 of the 2009 edition of NFPA 1670, Standard on Operations and Training for Technical Rescue Incidents.

Upon inspection it was determined Pullman Fire Department management allowed rescue personnel to not follow portions of chapter 9 of the 2009 edition of NFPA 1670, specifically Chapter 9.3.4 requiring four personnel operating at the operations level with the minimum following personal protective equipment, personal flotation device (PFD), thermal protection, helmet appropriate for water rescue, cutting device, and a whistle. A firefighter wore structural bunker gear and rubber boots, while riding unsecured in the bucket of a loader (no PFD), and the operator of the City of Pullman loader crossing swift water during a rescue without a PFD. Additionally, interviews determined that two additional firefighters were transported in the bucket of the loader without proper personal protective equipment.

In the event of an accident employee(s) could suffer serious injuries, long term major disabilities, and/or death.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty: \$900.00

Violation 1 Item 3

Violation Type: Serious

WAC 296-305-01513(1)

The employer did not furnish and require the use of appropriate safety devices and safeguards. All work methods, and operations must be so designed as to promote the safety and health of employees. The employer must do everything reasonably necessary to protect the safety and health of employees.

Upon inspection it was determined that Pullman Fire Department management allowed one employee to be unsecured while riding in the bucket of a Pullman City owned and operated John Deere front end loader against the guidelines established on page 5-9 in the manufacturer's operation manual (keep riders off machine, only operator allowed during operation).

In the event of an accident an employee riding unsecured in the front bucket of a front end loader can be exposed to injuries that could result in a permanent severe disability or death.

Situation not believed to exist any longer. However, if this violation is identified again during future inspections, it may result in repeat or failure to abate violations which may include penalties.

Assessed penalty: \$900.00

For Employers

If you are cited for a violation of Occupational Safety and/or Health rules, you have the right to appeal the citation. **You have 15 working days from the date you receive this citation to appeal.** (RCW 49.17.140(1)) "Working day" means a calendar day, except Saturdays, Sundays and all legal state holidays. Your appeal must be in writing. It may be mailed, faxed, personally delivered or electronically filed. If you electronically file, the Department will send an automated acknowledgement that the appeal was received. **If you do not receive acknowledgement, please ensure you have addressed it to the correct email.** You can also contact the Appeals Program at the number listed below.

For violations classified as serious, willful, repeat serious, or failure to abate serious, an employer must correct the violations by the date listed on the Citation and Notice / Employer's Certification of Abatement form unless a stay of abatement date is requested in the appeal as described on this page. A stay of abatement date means the employer's requirement to abate or correct the hazard is put on hold until the appeal is resolved. All general and repeat general violations under appeal automatically have stay of abatement dates until a final order on those violations has been issued. If you only need an extension of an abatement date, please see the above section entitled, **"If you are unable to fix the hazard(s) by the correction due date(s)"**.

Your appeal must include:

- Name, address, telephone number, and fax number if available of the employer who is appealing, and for the employer's representative, if any, such as an attorney or interpreter.
- Inspection Number (You will find this nine-digit number in the top right corner of this page.)
- Statement explaining:
 1. What you think is wrong with the citation and any related facts.
 2. How you think the citation should be changed.
 3. What relief you are seeking and why.

If you are requesting a stay of abatement date for serious, willful, repeat serious or failure to abate serious, you must also include:

- Each violation and item number for which a stay of abatement date is requested; and
- The reason for the stay of abatement date request.

Note: Employees and/or employee representatives may elect to participate in appeal hearings.

Posting requirement:

You must post your appeal documents (along with this citation packet) until the appeal is resolved.
You must also post all other documents related to this appeal.

For Employees or Their Representatives

If your employer is cited, you may only appeal the correction due date(s).

Your appeal must include:

- Your name, address, telephone number, and fax number if available and the same information for anyone who is representing you, if any.
- Inspection number.
- Statement explaining why the correction due date should be changed.

Send all appeals to:

Assistant Director for DOSH
Attn: Appeals Program
PO Box 44604
Olympia, WA 98504-4604
 Fax to: **(360) 902-5581** or deliver to: **Any L&I office**
 Electronically to: **DOSHappeals@Lni.wa.gov**

For more information call the Appeals Program: **(360) 902-5486.**

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